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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

In re DIANA N., a Person Coming Under
the Juvenile Court Law.

SAN DIEGO COUNTY HEALTH AND
HUMAN SERVICES AGENCY,

Plaintiff and Respondent,

v.

JAMES M.,

Defendant and Appellant.

D062697

(Super. Ct. No. J518003)

APPEAL from orders of the Superior Court of San Diego County, Cynthia
Bashant, Judge. Dismissed.

James M. appeals the findings and orders entered at the termination of parental rights hearing held under Welfare and Institutions Code section 366.26. Citing *In re Sade C.* (1996) 13 Cal.4th 952, he asks this court to exercise its discretion to review the record for error.

In *In re Sade C.*, the California Supreme Court held review under *People v. Wende* (1979) 25 Cal.3d 436 is unavailable in "an indigent parent's appeal from a judgment or order obtained by the state, adversely affecting his custody of a child or his status as the child's parent." (*In re Sade C.*, *supra*, 13 Cal.4th at p. 959.) We therefore deny James's request to review the record for error and to address his *Anders* issue. (*Anders v. California* (1967) 386 U.S. 738.)

Citing *In re Phoenix H.* (2009) 47 Cal.4th 835, James's counsel also asks this court to exercise its discretion to provide him the opportunity to file a supplemental brief in *propria persona*. The request is denied.

DISPOSITION

The appeal is dismissed.

AARON, J.

WE CONCUR:

McCONNELL, P. J.

O'ROURKE, J.